

REMARKS

By this Third Preliminary Amendment, Applicants have amended claims 53, 67, 80, 87, 93, 106, 112, 119, 122, 145, 147, 149, 150, and 155 to more broadly define the claimed invention and, at the same time, continue to distinguish the prior art. Applicants have also amended the Summary of the Invention. No new matter has been introduced by this Amendment.

Applicants wish to thank the Examiner for the courtesy extended to Applicants' representatives during a personal interview on November 26, 2002. In that interview, the Examiner noted the amendment of several claims to include a game terminal transmitting game information to the central controller on *a per-game basis* or *each time* a wager is received. Applicants note that the specification of the parent case, U.S. Patent No. 6,280,328 ("the '328 patent") makes clear that the player terminal transmits <sup>7</sup>game information on a per-game basis that is not limited to *after* each game. In one disclosed embodiment, the player terminal sends the wager amount to the account server *before* each game to verify that the player has a sufficient account balance to cover the wager. ('328 patent, col. 7, lines 44-50; Fig. 5, step 524.) *After* each game, the player terminal sends the game result and game information to the account server. ('328 patent, col. 8, lines 17-22; Fig. 5, step 542.) Player terminals transmit information to the account server *in real time* to maintain a *current and comprehensive* player activity information. ('328 patent, col. 8, lines 52-54; col. 8, lines 64-65.) If game information were only transmitted after a game, the tracking would not be real time or current. Therefore, the amendment of claims to include tracking for each game or on a per-game basis does not introduce new matter.

Furthermore, the claim amendments do not change the invention's patentability over the prior art. In particular, as discussed during prosecution of the parent case, the invention is

FINNEGAN  
HENDERSON  
FARABOW  
GARRETT &  
DUNNER LLP

1300 I Street, NW  
Washington, DC 20005  
202.408.4000  
Fax 202.408.4400  
www.finnegan.com

PATENT

Application No. 09/921,782

Attorney Docket No. 08339.0002-05000

*Mis-characterize*  
*yes, it*  
*clear*

patentable over Hedges, U.S. Patent No. 4,467,424, at least because Hedges does not disclose or suggest a player terminal including means for executing an application program in response to an externally-generated random number, as required by claims 53, 67, 80, 87, 93, 106, 112, 119, 122, 145, 147, 149, 150, and 155, and the claims that depend therefrom. Instead, Hedges includes a processor 41 that executes software to change a display on a player station. For example, the player station of Hedges receives a message indicating a new account balance and displays the new account balance on the playboard of the player station. (Hedges, col. 13, lines 57-65.) The execution of software by the player station in Hedges merely changes the display and is not responsive to a set of random numbers. Furthermore, the prior art does not teach transmitting game information after each game for which a wager amount is received, as recited, for example, in claims 60, 73, and 143 and the claims that depend therefrom. If the Examiner has any questions, we invite the Examiner to contact the undersigned at 202-408-4121.

*can have both*

If there is any fee due in connection with the filing of this Supplemental Preliminary Amendment, please charge the fee to our Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, L.L.P.

Dated: February 3, 2003

By: 

Esther H. Lim  
Reg. No. 41,944

LAW OFFICES

FINNEGAN, HENDERSON,  
FARABOW, GARRETT,  
& DUNNER, L.L.P.  
1300 I STREET, N.W.  
WASHINGTON, DC 20005  
202-408-4000